Ereby certify that this correspondence is being deposited with the U.S. Postal Sovice as Express Mail, Airbill No. EV 419 927 937 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below

Dated: October 12, 2004

Signature: \_

Docket No.: ULI-002 (PATENT)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Rudolf Faust et al.

Application No.: 10/776674

Filed: February 11, 2004

For: COPOLYMERS COMPRISING OLEFIN AND

PROTECTED OR UNPROTECTED

HYDROXYSTYRENE UNITS

Art Unit: 1713

Examiner: Not Yet Assigned

#### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

**MS Missing Parts Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted mailed May 10, 2004, Applicants respectfully submit a Declaration, Petition and Power of Attorney, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), and Part 2 Copy of Notice.

Please charge our Deposit Account No. 12-0080 in the amount of \$2,188.00 (\$790 filing fee, \$288 extra claim fee, \$980 extension fee, and \$130 surcharged based on a large entity). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. ULI-002. Applicants request any extensions of time necessary to respond.

Dated: October 12, 2004

Respectfully submitted,

Registration No.: 43,670

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicants

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Inder Paperwork Reduction Act of 19	95, no persons are required to res	pond to a collection of information	unless it displays a valid OMB control number
HAT		Application Number	10/776674
		Filing Date	

1

# **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3	spond to a collection of information unless it displays a valid OMB control number				
	Application Number	10/776674			
	Filing Date	February 11, 2004			
	First Named Inventor	Rudolf FAUST			
	Art Unit	1713			
	Examiner Name	Not Yet Assigned			
	Attorney Docket Number	ULI-002			

ENCLOSURES (Check all that apply)						
X Fee Transr	mittal Form	Drawing(s)		After Allowance Communication to TC		
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences		
Amendment/Reply  After Final		Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
		Petition to Convert to a Provisional Application		Proprietary Information		
Affida	avits/declaration(s)	Power of Attorney, Revocation Change of Correspondence		Status Letter		
x Extension	of Time Request	Terminal Disclaimer		X Other Enclosure(s) (please Identify below):		
Express At	pandonment Request	Request for Refund		Supplemental Application Data Sheet Declaration, Petition and Power of Attorney Notification of Change of Attorney Docket Number Part 2 Copy of Notice Certificate of Express Mailing		
Information Disclosure Statement		CD, Number of CD(s)				
Certified Copy of Priority Document(s)		Landscape Table on CD Return Receipt Postcard				
X Reply to Missing Parts/ Incomplete Application		Remarks		·		
Reply to Missing Parts under 37 CFR 1.52 or 1.53						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Name	LAHIVE & COCKFIELD, LLP					
Signature						
Printed name						
October 12, 2004			Reg. No.	43,670		

	nce is being deposited with the U.S. Postal Service as S Missing Parts, Commissioner for Patents, P.O. Box 1	
Dated: October 12, 2004	Signature:	(Danielle L. Herritt)

PTO/SB/17 (10-04v2)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

PER TRANSPORTE			Complete if Known					
FEE TRANSMITTAL		Application Number			<u> </u>	· · · · · · · · · · · · · · · · · · ·		
for FY 2005		Filing Date			February 11, 2004	February 11, 2004		
		First Named Inventor		Inver	ntor Rudolf FAUST	_		
Effective 10/01/2004. Patent fees are subject to annual revision.		Examiner Name			Not Yet Assigned	Not Yet Assigned		
Applicant claims small entity status. See 37 CFR 1.27		Art Unit 1713				_		
TOTAL AMOUNT OF PAYMENT (\$) 2,188.00		Attom	ey Do	cket No	o. ULI-002			
METHOD OF PAYMENT (check all that apply)				FEE	CALCULATION (continued)			
Check Credit Money Order Other None  X Deposit Account:	3. ADDITIONAL FEES							
Deposit 12 0000		Large Entity Small Entity						
Account Number	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description Fee Pai	d		
Deposit Account Lahive & Cockfield, LLP	1051	130	2051	65	Surcharge – late filing fee or oath 130.00	٥		
Name The Director Is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	٦		
X Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specification	┨		
X Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	┨		
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	┨		
	1805	1,840*	1805	1,840*	Postuncting publication of SID offer	1		
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	┨		
1. BASIC FILING FEE	1252	430	2252	215	Extension for reply within second month	7		
Large Entity Small Entity	1253	980	2253	490	Extension for reply within third month 980.00	ᅱ		
Fee Fee Fee Fee Fee Description Fee Paid  Code (\$) Code (\$)	1254	1,530	2254	765	Extension for reply within fourth month	٦		
1001 790 2001 395 Utility filing fee 790.00	1255	2,080	2255	1,040	Extension for reply within fifth month	┪		
1002 350 2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	7		
1003 550 2003 275 Plant filing fee	1402	340	2402	170	Filing a brief in support of an appeal	7		
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	1		
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	]		
SUBTOTAL (1) (\$) 790.00	1452	110	2452	55	Petition to revive – unavoidable	J		
	1453	1,370	2453	685	Petition to revive – unintentional	┙		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE  Extra Fee from	1501	1,370	2501	685	Utility issue fee (or reissue)	↲		
Claims below Fee Paid	1502	490	2502	245	Design issue fee	╛		
Total Claims 36 -20** = 16 x 18.00 = 288.00	1503	660	2503	330	Plant issue fee	┙		
Independent 1 -3** = x = 0.00	1460	130	1460	130	Petitions to the Commissioner	╛		
Multiple Dependent =	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1		
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	7		
Fee Fee Fee Code (\$) Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	7		
1202 18 2202 9 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	1		
1201 88 2201 44 Independent claims in excess of 3  1203 300 2203 150 Multiple dependent claim, if not paid	1810	790	2810	395	For each additional invention to be	1		
1204 88 2204 44 ** Reissue independent claims	1801	790	2801	395	examined (37CFR 1.129(b)) Request for Continued Examination (RCE)			
over original patent	1802	900	1802	900	Request for expedited examination	1		
1205 18 2205 9 <sup>★</sup> Reissue claims in excess of 20 and over original patent	Other f	l ee (spec	cify)		of a design application	$\exists$		
SUBTOTAL (2) (\$) 288.00		ced by E		ing Fee	Paid SUBTOTAL (3) (\$) 1,110.00	爿		
**or number previously paid, if greater, For Reissues, see above	, couu			g i 66	1,110.00	וי		
SUBMITTED BY					(Complete (if applicable))	Ħ		
(Complete (if applicable))								

SUBMITTED BY			(Complete	(if applicable))
Name (Print/Type) Danielle L. Herritt	Registration No. (Attorney/Agent)	43,670	Telephone	(617) 227-7400
Signature			Date	October 12, 2004

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Dated: October 12, 2004

(Danielle L. Herritt)



MAYER, FORTKORT & WILLIAMS, PC

MED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Offices Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandris, Viginia 22313-1450 www.uspiu.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/776,674

251 NORTH AVENUE WEST

27774

02/11/2004

**Rudolf Faust** 

03-469

**CONFIRMATION NO. 3484** 

FORMALITIES LETTER

\*OC000000012576926\*

2ND FLOOR WESTFIELD, NJ 07090

> MAYER, FORTIGE & WILLIAMS 11.0.

Date Mailed: 05/10/2004

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 Additional claim fees of \$288 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1188 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

0/15/2004 CNGUYEN 00000083 120080

01 FC:1001 02 FC:1051 03 FC:1202

SSS

JAPAN MAL

- Total additional claim fee(s) for this application is \$288
  - **\$288** for **16** total claims over **20**.

Replies should be mailed to:

Mail Stop Missing Parts

**Commissioner for Patents** 

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Application No. (if known): 10/776674

Attorney Docket No.: ULI-002

## **Certificate of Express Mailing Under 37 CFR 1.10**

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MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 12, 2004

Date	
Signa	ture
Danielle L	. Herritt
Typed or printed name of p	erson signing Certificate
43,670	(617) 227-7400
Registration Number, if applicable	Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Fee Transmittal (1 page- in duplicate)

Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Supplemental Application Data Sheet (2 pages)

Response to Notice to File Missing Parts of Application (1 page)

Declaration, Petition and Power of Attorney (5 pages)

Notification of Change of Attorney Docket Number (1 page)

Part 2 Copy of Notice (2 pages)

Certificate of Express Mailing (1 page)

Charge \$2,188.00 to deposit account 12-0080

Return Receipt Postcard